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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HILLERY, NATHAN	
ART UNIT	**PAPER NUMBER**
2176	

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/487,585	WELLER, SCOTT WAYNE	
	Examiner	Art Unit	
	Nathan Hillery	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,8-10,12-15,18,19,21 and 24-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,8-10,12-15,18,19,21 and 24-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 1/5/05.

2. Claims 1, 2, 4, 5, 8 – 10, 12 – 15, 18, 19, 21, and 24 – 40 are pending in the case. Claims 1, 15, and 21 are independent.

3. The rejection of claims 6, 16, and 22 under 35 U.S.C. 112, second paragraph as being indefinite has been withdrawn as necessitated by amendment.

4. The rejection of claims 1, 2, 13, 14, 15, and 21 under 35 U.S.C. 102(e) as being anticipated has been withdrawn as necessitated by amendment.

5. The rejection of the remaining pending claims under 35 U.S.C. 103(a) as being unpatentable has been withdrawn as necessitated by amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, 4, 5, 8 – 10, 13 – 15, 18, 19, 21, 24 and 38 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al. (US 6605120 B1).

7. **Regarding independent claims 1, 15, and 21**, Fields et al. teach that *a set of pages, possibly a single page, is retrieved from a content provider web server* (Column 3, lines 4 – 5), which provide for **receiving information**. Fields et al. teach that *in FIG.*

4, the recast page is shown in client area 303. In this example, the logo banner 305 is preserved, but moved to a new location (centered). The title area 307 and article text 309 have changed location, font and font size and line length. Other format changes are possible. Some, but not all of the links 311 to other content provider web pages have been preserved according to the policy for the web content provider. Since these links may be important to the web content provider to generate additional hits for other advertising revenue, the provider may wish to institute a policy that at least some of these links will be preserved in the recast page. The ad banner 313 appears at the bottom of the page. Note also that navigational features 315 and 317 native to the hosting server have been added to the page. A background border 319 giving the hosting web site a distinctive look and feel has also been added. Of course, those skilled in the art will recognize that the examples of "desired content" are merely exemplary. The example of the top ad, article and bottom ad is common to many web news articles. The invention allows the hosting site to extract and recast any number or type of desired content elements from the web content provider page (Column 6, line 60 – Column 7, line 25), which provide for **determining whether the received information contains a link to a retrievable item; inserting injectable control content into the received information at a specified location relative to the link to a retrievable item; and outputting the received information including the injectable control content to a display device, wherein the injectable control content may be selected by a user to perform a functional operation upon the retrievable item**. In addition, Fields et al. teach that *the pass through publisher 101*

retrieves the filter definitions and policies from the filter database 109 for this particular content provider web site (Column 5, lines 13 – 15), which provide for **a content database that stores injectable control content**. Further, Fields et al. teach that *one of the preferred implementations of the invention is as sets of instructions 748-752 resident in the random access memory 724 of one or more computer systems configured generally as described above* (Column 11, lines 65 – 67), which provide for **a memory that stores a location ...**

8. **Regarding dependent claim 2**, Fields et al. teach that *a set of pages, possibly a single page, is retrieved from a content provider web server* (Column 3, lines 4 – 5), which provides for **receiving information in the form of a document**.

9. **Regarding dependent claims 13 and 14**, Fields et al. teach that *a representative system in which the present invention is implemented is illustrated in FIG. 1. A plurality of Internet client machines 10 are connectable to a computer network Internet Service Provider (ISP) 12 via a network such as a dialup telephone network* (Column 4, lines 18 – 22), which provide for **wherein receiving information includes receiving information using at least one of either a wired connection or a wireless to a network and wherein outputting the information includes forwarding using at least one of either a wired connection or a wireless to the display device**.

10. **Regarding dependent claims 4, 5, 8, 18, 24 and 38**, Fields et al. teach that *note also that navigational features 315 and 317 native to the hosting server have been added to the page* (Column 7, lines 5 – 7), which means **the specified location is adjacent to a retrievable item identified in the received information; the**

retrievable item identified in the received information is at least one of a file, a folder, a picture, a movie, a sound, or a document; the injectable control content includes at least one of an information printing function, an information storing function, a processing function, or a document viewing/editing function; and the functional operation is performed by the display device.

11. **Regarding dependent claim 9 and 19**, Fields et al. teach that *it is an object of the invention to reuse web-based content without requiring a content provider web site to install special purpose software* (Column 2, lines 59 – 63), which means **the injectable control content provides processing of the retrievable item without installing software on an accessing device.**

12. **Regarding dependent claims 10 and 39**, Fields et al. teach that *the filter finds particular application in distribution mechanism for managing content on the World Wide Web by means of a filtering and formatting service located on a hosting server. The invention provides an automated system for recasting web content from a web content provider web site in the context of a hosting web site. At the hosting web site, it brokers a client browser's request for a web page, analyzes the returned content and splits it into component elements, extracts the desired component elements, recasts the desired elements in the look and feel of the hosting site and sends the recast content to the requesting client as a web page* (Column 3, lines 22 – 33), which provides that **the functional operation is performed by a server that is separate from, and in communication with, the display device; receiving the information comprises receiving the information at a server; and inserting the injectable control content**

includes the server associating the injectable control content with a retrievable item.

13. **Regarding dependent claim 40**, Fields et al. teach that *once the reformatted file is received at the client, the client browser interprets the HTML in the web page, presenting the content in the context of the hosting web site* (Column 3, lines 33 – 35), which provide that **the information is retrieved at the display device; and the injectable control content is inserted by the display device**.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (US 6605120 B1) as applied to claims 1, 2, 13, 14, 15, and 21 above, and further in view of Yang et al. (US006301586B1).

16. **Regarding dependent claims 12**, Fields et al. do not explicitly teach **the specified location ...** However, Yang et al. discloses in Figure 14 that **the specified location to insert the injectable content is determined by a user** (*selecting the print layout*). It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Fields et al. with that of Yang et al. because such a combination would provide the users of Fields et al. with *an improved management of*

multimedia objects by means of enhanced input, manipulation, and output (Yang et al., Column 1, lines 44 – 47).

17. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (US 6605120 B1) as applied to claims 1, 2, 13, 14, 15, and 21 above, and further in view of Wolff (US 6738841 B1).

18. **Regarding dependent claim 25**, Fields et al. do not explicitly teach **option screen**. However, Wolff teaches that *FIG. 3a illustrates one embodiment of a document 300 printed at printer 250. Printer driver 255 also attaches control buttons to the retrieved document and transmits the print view version of the document to the user at client 210. FIG. 3b illustrates one embodiment of a print view page 350 of a document displayed on a browser 320 residing in client 210. View page 350 includes control buttons 360 labeled "PRINT", "OPTIONS", and "STATUS". The "PRINT" button contains a tag that causes printer server 255 to transmit the document for download to the digital hardware and print engine components of printer 250. The "OPTIONS" and "STATUS" buttons cause printer server 255 to serve up an option selection form and a printer status page, respectively* (Column 6, lines 7 – 20), which provide that **at least one injectable control content includes at least one selectable icon to access at least one treatment option screen**. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Fields et al. with that of Wolff because such a combination would provide the users of Fields et al. with *a*

method and apparatus for creating electronic documents and controlling printer peripherals (Column 3, lines 49 – 50).

19. Claims 26 – 29, and 31 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (US 6605120 B1) and Wolff (US 6738841 B1) as applied to claim 25 above, and further in view of Yang et al. (US006301586B1).

20. **Regarding dependent claim 26 – 29, and 35 – 37**, neither Fields et al. nor Wolff explicitly teach **a treatment option screen**. However, Yang et al. discloses in Figure 13 that **the treatment option screen has an option to process retrievable item, the treatment option screen is separately displayed for each retrievable item, each treatment option screen is sequentially displayed for each retrievable item, the treatment option screen includes a selectable icon to return to a previous treatment option window** (*Back*), **the treatment option screen includes a selectable icon to accept the treatment** (*Finish*), **the treatment option screen includes a selectable icon to exit** (*Cancel*), and **the treatment option screen comprises at least one portion** ... . It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Fields et al. and Wolff with that of Yang et al. because such a combination would provide the users of Fields et al. and Wolff with *an improved management of multimedia objects by means of enhanced input, manipulation, and output* (Column 1, lines 44 – 47).

21. **Regarding dependent claims 31 – 34**, neither Fields et al. nor Wolff explicitly teach **a treatment option screen**. However, Yang et al. discloses in Figures 13 – 16

that **the treatment option screen lists each retrievable item** (*Left Box*), **the list includes at least one markable box** (*Right Box*), **and each marked box indicates that the associated retrievable item is to be processed**. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the invention of Fields et al. and Wolff with that of Yang et al. because such a combination would provide the users of Fields et al. and Wolff with *an improved management of multimedia objects by means of enhanced input, manipulation, and output* (Yang et al., Column 1, lines 44 – 47). Further, it would have been obvious to one with ordinary skill in the art at the time of the invention to know that since the combined invention already performs the demarcation of boxes in one manner then it would be trivial to make so that each marked box indicates that the associated downloadable information is not to be processed.

22. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al. (US 6605120 B1), Wolff (US 6738841 B1) and Yang et al. (US006301586B1) as applied to claims 26 – 29, and 31 – 37 above, and further in view of Roosen et al. (US006618163B1).

23. **Regarding dependent claim 30**, Fields et al., Wolff and Yang et al. do not explicitly teach **the treatment option screen** ... However, Roosen et al. discloses in Figure 8 that **the treatment option screen has at least one first portion, at least one second portion, and at least one control for moving**... It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of

Fields et al., Wolff and Yang et al. with that of Roosen et al. because such a combination would allow the users of the aforementioned inventions to have *access to an invention that meets the need for enhanced printer status information, monitoring and control* (Column 2, lines 10 – 11).

Response to Arguments

24. Applicant's arguments with respect to claims 1, 2, 4, 5, 8 – 10, 12 – 15, 18, 19, 21, and 24 – 40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

NH